

CHAPTER 114
NUISANCE WILDLIFE CONTROL

571—114.1(456A) Nuisance wildlife control program. This chapter is intended to implement Iowa Code section 456A.24(8) by providing permitting of nuisance wildlife control operators for the purpose of removing nuisance wildlife from private property. No provision of this chapter shall restrict a landowner from lawfully removing nuisance wildlife pursuant to Iowa Code section 481A.87.

571—114.2(456A) Definitions.

“Annual activity report” means an annual report submitted on a form provided by the department.

“Guidebook” means the nuisance wildlife control operator’s manual provided by the department.

“Helper” means a person who possesses a fur harvester license, has paid the habitat fee, and is listed, by name, on the permit as authorized to perform nuisance wildlife control operator duties under the direction of the permittee.

“Nuisance wildlife” means wild, native animals or birds that are causing damage to private property, creating a nuisance, or presenting a health hazard.

“Nuisance wildlife control operator” or *“NWCO”* means a person who operates as a business and charges a fee to remove nuisance wildlife from private property.

“Permit” means an annual permit issued by the department under the authority of Iowa Code section 455A.5(6) “e” for the purpose of capturing and removing nuisance wildlife from private property. The permit shall expire January 10 of each year and is not transferable.

“Permittee” means an NWCO who possesses a valid nuisance wildlife control operator’s permit issued by this department and also possesses a valid Iowa fur harvester license and has paid the habitat fee.

571—114.3(456A) Nuisance wildlife control operator’s permit. An NWCO permit may be issued to a person or organization that, upon application and following review and testing, complies with all requirements established within this chapter. This is an annual permit and may be renewed by January 10 of the following year. The department shall not renew a permit without first receiving a completed annual activity report for the previous year.

571—114.4(456A) Application requirements. All applicants must be at least 18 years of age and possess a valid driver’s license.

571—114.5(456A) Nuisance wildlife control operator’s guidebook. All applicants will receive an NWCO guidebook at the time they submit a completed permit application form. The permittee shall refer to the guidebook as an operating manual for nuisance wildlife control activity. All requirements and procedures listed in the guidebook must be followed. The NWCO guidebook is hereby adopted by reference and shall be a part of this chapter as if set forth herein.

571—114.6(456A) Nuisance wildlife control operator’s test and interview. An applicant must successfully pass a written test with a minimum test score of 80 percent before an NWCO permit will be issued. If the applicant fails the written test, the applicant must wait 45 days before retaking the test. If the applicant fails a second time, the applicant must wait 180 days before reapplying. A \$25 testing fee will be assessed when the applicant successfully completes the test. In addition, the applicant must successfully complete an oral, in-person interview with a representative of the department to determine the applicant’s knowledge of wildlife and wildlife capture techniques, and to determine if the applicant has the ability to provide effective services to the public.

571—114.7(456A) Records and record-keeping requirements. All permittees shall keep a daily record of their nuisance wildlife control activities. Each record must contain the client's name, address, telephone number, date of service, service provider's name, species of animal, number of animals removed, control methods used, and disposition of the animals. These records shall be kept up to date and on file at the business location specified in the permit. The permittee shall provide these records for inspection by a department representative at any reasonable time.

571—114.8(456A) Annual activity report. The permittee shall submit an annual activity report on forms provided by the department no later than January 31 of the following year. The department shall not renew a permit until a complete and accurate annual activity report has been received for the preceding year.

571—114.9(456A) Permit renewal. An NWCO permit may be renewed by the department when all reporting requirements for the previous year have been met. An administrative fee of \$20 will be assessed at the time of renewal.

571—114.10(456A) Helper. A helper shall operate under the same conditions as the permittee. The permittee shall be responsible for all actions of the helpers listed on the permit. Compliance violations committed by a helper may be cause for the department to revoke the permit.

571—114.11(456A) Capture methods and trap tagging. Live traps such as box traps and leg-hold traps should be used whenever possible. Humane traps, which are those designed to kill instantly with a jaw spread exceeding eight inches, are unlawful except when placed entirely under water. All traps and snares, except those which are placed entirely under water, shall be checked once every 24 hours. All traps and snares for the taking of nuisance wildlife shall have a metal tag attached that is plainly labeled with the permittee's business name and address.

If traditional capture methods fail, the permittee may use chemicals, smoking devices, mechanical ferrets, wire, tools, instruments, or water to remove nuisance animals in accordance with the procedures contained in the guidebook. No person, except a person acting under an NWCO permit shall capture or take, or attempt to capture or take, with any trap, snare, or net, any game bird.

The permittee and designated helpers shall observe all Iowa fur trapping and fur possession regulations as provided for by Iowa law, the Iowa Administrative Code, and the NWCO guidebook.

571—114.12(456A) Endangered and threatened wildlife species. The permittee is not authorized to capture or possess any wildlife species listed as endangered or threatened, or those species which are federally protected. This includes, but is not limited to: bobcats, spotted skunks, hawks, owls, eagles, migratory birds, waterfowl, and songbirds. When a nuisance wildlife problem involves an endangered or threatened species, the local state conservation officer should be contacted, and the officer will determine how the situation must be handled.

571—114.13(456A) Disposition of captured nuisance wildlife. Nuisance wildlife, with the exception of endangered or threatened species, may be relocated or euthanized. The permittee shall comply with the euthanization and release methods described in the NWCO guidebook. Sick or injured wildlife must be handled as described in the NWCO guidebook. The carcass of a dead nuisance animal must be disposed of in a legal manner and within 24 hours of the animal's death.

571—114.14(456A) General conditions for permits.

1. Records and facilities shall be available for inspection by officers of the department during reasonable hours.
2. All records and reports must be kept current and shall reflect a true and accurate account of the permittee's activities.
3. The department's law enforcement bureau shall be notified in writing within 30 days if the permittee ceases operation as a nuisance wildlife control operator.
4. Permittees and helpers must obtain and possess valid fur harvester licenses and and have paid the habitat fees.
5. Permittees must renew their NWCO permits by January 31 of the same year.

571—114.15(456A) Permit refusal. The department may suspend, revoke, refuse to issue, or refuse to renew a nuisance wildlife control operator's permit if the department finds that the permittee, a helper, or an employee of the permittee is not in compliance with this chapter. In addition, any violation of Iowa Code chapter 481A, 481B, 482, 483A, 484A, 484B, or 716 shall be cause for the department to suspend, revoke, refuse to issue, or refuse to renew a permit.

571—114.16(456A) Penalties. A person or organization that violates a provision of this chapter is guilty of a simple misdemeanor.

These rules are intended to implement Iowa Code section 456A.24.

[Filed 12/19/01, Notice 10/3/01—published 1/9/02, effective 2/13/02]